

UNITED STATES DISTRICT COURT

for the

District of Oregon

United States of America

v.

ALFONSO CHINA-AGUILAR

Case No. 3:23-mj-00001

*Defendant(s)***CRIMINAL COMPLAINT
BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 31, 2022 in the county of Clackamas in the
District of Oregon, the defendant(s) violated:*Code Section**Offense Description*21 U.S.C. §§ 841(a)(1), (b)(1)(A)(i),
& (b)(1)(B)(ii);Possession with intent to distribute controlled substances (Heroin and
Cocaine);

This criminal complaint is based on these facts:

See the attached affidavit of DEA Special Agent John Ludwig

☒ Continued on the attached sheet.

/s/ Signed by telephone

Complainant's signature

John Ludwig, DEA Special Agent

*Printed name and title*Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone at 10:38 a.m./~~p.m.~~Date: January 1, 2023*Youlee Yim You**Judge's signature*City and state: Portland, Oregon

YOULEE YIM YOU, U.S. Magistrate Judge

Printed name and title

DISTRICT OF OREGON, ss:

AFFIDAVIT OF JOHN LUDWIG

**Affidavit in Support of an Application
for a Search Warrant for Geolocation and Cell Site Data**

I, John Ludwig being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I am a Special Agent (hereinafter “SA”) with the Drug Enforcement Administration (hereinafter “DEA”). As such, I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7) and empowered by law to conduct investigations and make arrests for offenses enumerated in 18 U.S.C. § 2516. I also am responsible for investigating drug-related crimes within the United States. Under 21 U.S.C. § 878, I am empowered to make arrests and obtain and execute search warrants. My current assignment is to the DEA Portland district Office. Since starting with the DEA in May of 2020 I have participated in numerous narcotics investigations as a case agent, undercover agent, and surveillance agent. My training and experience includes 17 weeks at the Drug Enforcement Administration Training Academy at Quantico, Virginia. At the academy, I was trained in all aspects of conducting narcotics investigations to include debriefing defendants, witnesses, and informants, conducting surveillance, executing search warrants, conducting controlled purchases and deliveries of drugs, utilizing law enforcement, open source, and social media databases, and seizing narcotics and narcotics-related assets. I have also acquired knowledge and information about illegal drug trade and the various means and methods by which it is furthered from formal and informal training, other law enforcement Investigators, informants, individuals I have interviewed, and from my participation in multiple drug investigations as either a co-case agent

or as a supporting investigative agent. Prior to my employment with the DEA, I was a Border Patrol agent under the Department of Homeland Security stationed in Carrizo Springs, Texas from 2018 to 2020. While at the Border Patrol Academy, I graduated the basic Spanish language program and over the next two years used this to communicate with Spanish speaking subjects. I have consulted and conversed with numerous other agents from various local, state, and federal agencies on drug cases of all types, including the distribution of fentanyl. Because of this and my own training and experience, I am familiar with narcotics distribution and the methods employed by traffickers of narcotics.

2. I submit this affidavit in support of a criminal complaint and arrest warrant for:

- **ALFONSO CHINA-AGUILAR** (“Aka” **Limon**)

for violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A)(i), and (b)(1)(B)(ii):

Possession with Intent to Distribute Controlled Substances.

Applicable Law

3. Title 21, United States Code, Section 841(a)(1), (b)(1)(A)(viii) and 846 make it illegal to possess with the intent to distribute a controlled substance, including heroin and cocaine. These offenses carry a maximum sentence of up to life imprisonment, a fine of up to \$10 million, and a five-year term of supervised release.

Summary of Probable Cause

Background of the investigation

4. The Drug Enforcement Administration, Portland District Office Group D-51, in conjunction with Homeland Security Investigations (HSI), and Tigard Police Department (TPD), (hereinafter collectively “Investigators”) are investigating a Drug Trafficking Organization

(DTO) suspected of importing heroin, methamphetamine, cocaine, and fentanyl from Mexico into the United States for further distribution in Oregon and Washington.

[REDACTED]

5. [REDACTED]

[REDACTED]

[REDACTED], Investigators identified Javier Sanchez Castaneda (“Castaneda”) as a poly-drug trafficker, distributing bulk quantities of narcotics in the Portland, Oregon metro area.

[REDACTED]

[REDACTED]

[REDACTED].

6. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

8. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

10. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

12. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

13. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

14. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15. [REDACTED] Investigators

began identifying the DTO's wider distribution network, including sources of drug supply, drug stash locations drug runners, drug couriers, and drug customers. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16. To date, Investigators have seized (including packaging) approximately 5.1 gross kilograms of powdered fentanyl, 2.9 gross kilograms of heroin, approximately 2.7 gross kilograms of methamphetamine, over 40,000 counterfeit oxycodone pills containing fentanyl, and have indicted seven DTO members. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

17. On December 28, 2022 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

18. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

19. On December 28, 2022 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

20. On December 30, 2022 Investigators noted that SP-6609's geo-location data

showed it in Los Angeles, California. Investigators noted that from the early hours of December 30 until mid-day SP-6609's geo-location data placed it around the Manchester Square and Compton neighborhoods of Los Angeles. This geo-location data also repeatedly showed the phone to be centered at Larry Flynt's Lucky Lady Casino at 1045 Rosecrans Ave, Gardena, California. I know based on my training and experience that this is a common area for drug traffickers carry out drug transactions and I suspected that **CHINA-AGUILAR** might be in the area for this purpose.

21. At 11 a.m. on December 30, 2022 Investigators noted that SP-6609's geo-location data showed it traveling north out of Los Angeles. Investigators continued to monitor SP-6609's geo-location data throughout December 30 and into the early morning hours of December 31, 2022 as the phone traveled north towards Portland.

***December 31, 2022: Investigators stop CHINA-AGUILAR and seize
3 kilograms of cocaine and 1 kilogram of heroin hidden in CHINA-AGUILAR's van***

22. At 4:50 a.m. on December 31, 2022 in anticipation of **CHINA-AGUILAR's** arrival investigators established surveillance on I-5. At 5:11 a.m. SA Shannahan saw **CHINA-AGUILAR's** brown Ford Econoline van driving north along I-5. Throughout their investigation, Investigators had observed **CHINA-AGUILAR** driving this vehicle for drug trafficking numerous times and knew **CHINA-AGUILAR** to be the primary user of the van. Investigators established surveillance on the van and followed it north along Interstate Five, SA Shannahan noted that the van followed the same path of travel as SP-6609's geo-location data. Investigators noted that an unknown Hispanic man was accompanying **CHINA-AGUILAR** and watched as **CHINA-AGUILAR** took over as driver from the unknown man at a rest stop. Below is a photograph of **CHINA-AGUILAR's** van:



23. At 7:07 a.m. Oregon State Police (OSP) Trooper (Tpr.) Miller conducted a traffic stop of the brown Ford Econoline being driven by **CHINA-AGUILAR**. Once the vehicle was stopped Tpr. Miller asked both men for identification. **CHINA-AGUILAR** provided a Mexican Driver's license falsely identifying him as Luis Armando Ruelas. The unknown passenger identified himself as Ruben Aceves-Vera and provided a Washington driver's license. Tpr. Miller told both men he would like to search their van at this time due to his suspicion that it contained narcotics. Both **CHINA-AGUILAR** and Aceves-Vera provided consent for Tpr. Miller to search the van. While searching the van, Tpr. Miller opened the rear tailgate doors of

the van. In the driver's side tailgate door Tpr. Miller found four plastic wrapped bricks concealed behind a piece of plastic fastened into the rear tailgate to hide a portion of the door's built in compartment. Tpr. Miller noted that these four plastic wrapped bricks resembled kilograms of narcotics based on their appearance and feel.

24. At this time SA Dixon arrived on the scene of the vehicle stop. SA Dixon asked **CHINA-AGUILAR** if investigators could have his consent to move the van up the road a bit to a safer location based on concerns about interstate traffic. **CHINA-AGUILAR** gave investigators permission and Tpr. Miller transported both men following SA Dixon as he drove the van. Investigators noted **CHINA-AGUILAR** had multiple cellphones with him inside the van. During the course of the stop, Investigators called **CHINA-AGUILAR**'s SP-6609 from a phone with the caller identification blocked. When Investigators called SP-6609, one of the cellphones from **CHINA-AGUILAR**'s van illuminated and showed a caller from a blocked number.

25. SA Dixon next read both **CHINA-AGUILAR** and Aceves-Vera their Miranda Warnings in Spanish from a DEA issued card. SA Dixon then provided the card to both men so they could also read their Miranda warnings themselves. Both men agreed to waive their rights per Miranda and talk to investigators. SA Dixon asked who owned the van was and **CHINA-AGUILAR** said that he owned the van. SA Dixon asked **CHINA-AGUILAR** for permission to thoroughly search the van and **CHINA-AGUILAR** consented and said that the four kilograms removed were the only narcotics in the van. Investigators did not find any other narcotics in the van, but an OSP drug detection canine alerted to the four-kilogram bricks. Investigators later weighed and tested the four kilograms for processing as evidence. Investigators found in total a

presumptive positive test for 3,357.3 gross grams of cocaine to include packaging and 1,123.3 gross grams of heroin to include packaging. A photo of the drugs is depicted below:



26. **CHINA-AUGILAR** told a Spanish speaking agent that he had traveled to Los Angeles California to purchase the four kilograms from a source of narcotics he knew there. **CHINA-AGUILAR** identified the three kilograms that were wrapped similarly as cocaine and said the other was a kilogram of heroin. **CHINA-AGUILAR** said that he had paid \$13,000 for each kilogram. **CHINA-AGUILAR** said he had bought them in the Compton neighborhood of Los Angeles near a casino, but he did not know which casino. Investigators explained their investigation thus far and **CHINA-AGUILAR** admitted that he sold narcotics in the Portland area and would transport cocaine and heroin from southern California up to Portland.

Investigators asked about Aceves-Vera's involvement and **CHINA-AGUILAR** said that he was not involved. **CHINA-AGUILAR** said he had merely asked Aceves-Vera to come along to split the drive, and that Aceves-Vera was not involved in **CHINA-AGUILAR**'s narcotics business in any way. **CHINA-AGUILAR** said he had acquired the four kilograms alone and placed them in the van independent of Aceves-Vera.

27. Investigators next spoke to Aceves-Vera who told them that he had traveled to Los Angeles to buy painting equipment for his business. Aceves-Vera said that he went with **CHINA-AGUILAR**, a friend of his, in order to save on gas and split the driving. Aceves-Vera said that he knew nothing of the narcotics in the vehicle or **CHINA-AGUILAR**'s narcotics business. Investigators noted a large quantity of painting supplies in the van.

28. At this time investigators placed **CHINA-AGUILAR** under arrest based on the narcotics discovered in his van and his statements about their purchase and transportation from California.

Conclusion

29. Based on the foregoing, I believe **CHINA-AGUILAR** has committed violations of the Target Offenses.

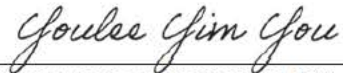
30. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney (AUSA) Paul Maloney, and AUSA Maloney advised me that in his opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant

Request for Sealing

31. I further request that this Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested search warrant, including the application, this affidavit, the attachments, and the requested search warrant. I believe that sealing these documents is necessary because the information to be seized is relevant to an ongoing investigation, and any disclosure of the information at this time may endanger the life or physical safety of an individual, cause flight from prosecution, cause destruction of or tampering with evidence, cause intimidation of potential witnesses, or otherwise seriously jeopardize an investigation. Premature disclosure of the contents of the application, this affidavit, the attachments, and the requested search warrant may adversely affect the integrity of the investigation.

/s/ Sworn to by telephone at
In accordance with Fed. R. Crim. P. 4.1
 John R. Ludwig
 Special Agent, DEA

Sworn to by telephone at 10:38 a.m./~~p.m.~~ this 1st day of January, 2023 in
 accordance with Fed. R. Crim. P. 4.1.


 HONORABLE YOLEE YTM YOU
 United States Magistrate Judge